



# STATE OF CONNECTICUT

## DEPARTMENT OF PUBLIC HEALTH

### TESTIMONY PRESENTED BEFORE THE PUBLIC HEALTH COMMITTEE March 12, 2010

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### **Senate Bill 428 - An Act Concerning Revisions to the Public Health Related Statutes**

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The Department of Public Health supports Senate Bill 428 and respectfully requests the opportunity to submit amended language to the Committee on several sections.

**Sections 2 and 3:**

These sections will update the role of the Healthcare Associated Infections Committee as a legislatively authorized advisory committee to the Department, rather than a body with the degree of autonomy and authority more akin to that of a board or commission. The change to move the date of the annual report from October to May would reflect data reporting by calendar year rather than by parts of the year as it is now.

**Sections 4 through 6:**

Allows for the protection of and patient access to their medical records in the event a facility closes, or a physician retires, abandons or otherwise abruptly closes his/her practice.

**Sections 7 through 10:**

Makes revisions to the statutes regarding Nursing Home Oversight

**Sections 13 through 17 and 19:**

Address issues related to licensure requirements for health practitioner applicants who also hold an out-of-state license. The Department respectfully requests the opportunity to submit amended language to clarify the provisions of Section 13, and would also appreciate the opportunity to submit additional language to address similar provisions for nurses and marital and family therapists.

**Section 18:**

Clarifies that registered nurses may execute orders written by licensed physician assistants, podiatrists and optometrists. The department respectfully requests that lines 652 and 653 be revised as follows: physician assistant or advanced practice registered nurse. A registered nurse may also execute orders issued by licensed podiatrists and optometrists provided such orders do not exceed the nurse's or the ordering practitioner's scope of practice.

**Section 20**

Would provide the Department with access to additional patient records that are related to the subject matter of a practitioner complaint investigation. The Department respectfully requests the opportunity to submit amended language to clarify the types of records that would be accessed.

**Section 21:**

Revises the mandatory continuing education requirements for dentists and would allow the Commissioner of Public Health, in consultation with the Dental Commission, to revise the list of topics that must be covered within continuing education activities. The Department respectfully requests the opportunity to submit amended language to clarify the process that will be used to revise the listing of mandatory topics, as well as how frequently the list will be updated.

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**Sections 22 through 23:**

Exempts already established organizations that would like to begin billing for service from the Certificate of Need process. However, they still need to submit specific information to the Department for these services. EMS organizations that are new and not already established will continue to be required to go through the CON process. The Department is working with the industry to address some of their concerns and has attached revised language that we have worked out with the industry.

**Sections 24 through 31:**

The changes proposed for the Emergency Medical Services statutes is to allow active duty US Military personnel who have completed the National Registry of Emergency Medical Training at any level to have this national credential be recognized for certification or licensure in Connecticut.

**Sections 34 through 41:**

The proposed changes to Sections 34 through 41 of this bill are necessary to streamline the administrative procedures of The Drinking Water State Revolving Fund (DWSRF). The DWSRF program is fully administered by DPH and these changes are necessary to eliminate the requirement for DEP to provide certain administrative support functions. When the DWSRF program was first developed in 1996 DPH partnered with the Department of Environmental Protection (DEP) who had been administering a similar Clean Water Fund (CWF) loan program for wastewater infrastructure projects. Currently DPH fully administers the DWSRF but the DEP Commissioner is still required by statute to provide many administrative support functions to the DPH Commissioner. This bill will provide the Commissioner of DPH with the necessary authority to enter into DWSRF loan agreements without placing an administrative burden upon the DEP Commissioner, and in doing so will streamline the processing of loan agreements to achieve greater efficiency.

We have become aware of an additional amendment that needs to be made to Section 36 of this bill for the reasons stated above. In line 1757 the words "Commissioner of Environmental Health" should be removed.

**Sections 42 and 43:**

The Department respectfully requests that the committee delete these sections and replace them with the attached language which reflects an agreement between the Department and the State Agricultural Fairs Association.

**Section 44**

Clarifies that trained unlicensed assistive personnel may administer jejunostomy and gastrojejun tube feedings within certain programs that are under the jurisdiction of the Department of Developmental Services. The Department would appreciate the opportunity to work with the Committee to revise the language to make certain that these provisions will not apply in any other setting.

**Sections 47 and 48**

The language in these sections was a recommendation from the Governor's Council on local health regionalization, which changes the current statutes affecting the educational requirements of a local Director of Health to be more consistent between a municipal department and a health district. The Department respectfully requests adding the following sentence to both sections 47 and 48: "or hold a graduate degree in public health from an accredited school, college or institution." This will allow the local health director to be a licensed physician **and** hold a graduate degree in public health from a accredited school, college or institution or hold a graduate degree in public health from an accredited school, college or institution.

**Section 49**

Revises requirements for an acupuncture license. The Department respectfully requests that this section be deleted. The Department would welcome the opportunity to work with the Committee to address the issues that led to the proposed language.

### Section 53 Subsection (h)

The Department agrees with this concept, but requests the following language change in order to conform to Federal Medicare terminology. No person, who a physician concluded has active suicidal or homicidal intent, may be admitted to or detained at a chronic disease hospital under an emergency certificate issued pursuant to this section, [unless such chronic disease hospital includes a separate psychiatric unit that is certified under Medicare as an acute psychiatric unit.] unless such chronic disease hospital is certified under Medicare as an acute care hospital with an Inpatient Prospective Payment System (IPPS)-excluded psychiatric unit.

### Section 54

Require all barber shops and barber schools to post the licenses of any person who engages in the practice of barbering in such shop or school and authorizes the Department of Public Health to assess a civil penalty against any person owning a barber shop or school that fails to do so. Although Section 20-241 of the general statutes allows the Department to inspect barber shops and barber schools for sanitary conditions, the Department does not regularly inspect such facilities. **Additional resources would be required** if the Department is expected to inspect such facilities and to enforce the provisions of this section. It is also important to note that Section 19a-231 of the general statutes requires Local Health Departments to annually inspect any shops or other commercial establishments at which the practice of barbering or hairdressing is provided regarding their sanitary condition. The Department would welcome the opportunity to work with the Committee to address the issues that led to the proposed language.

The Department also respectfully requests the opportunity to submit additional language for the Committee's consideration related to the review and approval of barber and hairdresser education programs and the process for reviewing and approving mandatory continuing education programs for optometrists.

### Section 63

Establishes a rebuttable assumption that the Commissioner of DEP shall approve a general permit to allow the installation of a dry hydrant in an area where there is no alternative access to a public water supply. The sentence added through this amendment should be continued on Line 3047 to say "...and when a dry hydrant will be installed to draw from a drinking water reservoir, the applicant for a general permit shall notify the public water system that makes use of the reservoir as their source of supply."

Finally, the Department respectfully requests that the following changes be included in the bill.

Make the following deletions:

- In Section 20-74qq (a), remove, ", including contrast media administration and needle or catheter placement,"
- In Section 20-74mm (b), remove, ", including contrast media administration and needle or catheter placement,"

Amend Section 19a-41 to read:

There is established, within the Department of Public Health, an Office of Oral Public Health. The director of the Office of Oral Public Health shall be a[n experienced] dental health professional with a graduate degree in public health and hold a license [dentist licensed] to practice under chapter 379 or 379a and shall: (1) Coordinate and direct state activities with respect to state and national dental public health programs; (2) Serve as the department's chief advisor on matters involving oral health; and (3) Plan, implement and evaluate all oral health programs within the department.

Thank you for your consideration of the Department's views on this bill.

## ***Requested Amendments***

### Certificates of Need For EMS Organizations

Section 1. Section 19a-180 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

(a) No person shall operate any ambulance service, rescue service or management service or otherwise transport in a motor vehicle a patient on a stretcher without either a license or a certificate issued by the commissioner. No person shall operate a commercial ambulance service or commercial rescue service or a management service without a license issued by the commissioner. A certificate shall be issued to any volunteer or municipal ambulance service which shows proof satisfactory to the commissioner that it meets the minimum standards of the commissioner in the areas of training, equipment and personnel. No license or certificate shall be issued to any volunteer, municipal or commercial ambulance service, rescue service or management service, as defined in subdivision (19) of section 19a-175, as amended by this act, unless it meets the requirements of subsection (e) of section 14-100a. Applicants for a license shall use the forms prescribed by the commissioner and shall submit such application to the commissioner accompanied by an annual fee of two hundred dollars. In considering requests for approval of permits for new or expanded emergency medical services in any region, the commissioner shall consult with the Office of Emergency Medical Services, [and the emergency medical services council of such region and] The commissioner shall hold a public hearing for new or expanded emergency medical services applications to determine the necessity for such services. Written notice of such hearing shall be given to current providers in the geographic region where such new or expanded services would be implemented, provided, any volunteer ambulance service which elects not to levy charges for services rendered under this chapter shall be exempt from the provisions concerning requests for approval of permits for new or expanded emergency medical services set forth in this subsection. A primary service area responder that operates in the service area identified in the application shall, upon request, be granted intervenor status with opportunity for cross-examination. Each applicant for licensure shall furnish proof of financial responsibility which the commissioner deems sufficient to satisfy any claim. The commissioner may adopt regulations, in accordance with the provisions of chapter 54, to establish satisfactory kinds of coverage and limits of insurance for each applicant for either licensure or certification. Until such regulations are adopted, the following shall be the required limits for licensure: (1) For damages by reason of personal injury to, or the death of, one person on account of any accident, at least five hundred thousand dollars, and more than one person on account of any accident, at least one million dollars, (2) for damage to property at least fifty thousand dollars, and (3) for malpractice in the care of one passenger at least two hundred fifty thousand dollars, and for more than one passenger at least five hundred thousand dollars. In lieu of the limits set forth in subdivisions (1) to (3), inclusive, of this subsection, a single limit of liability shall be allowed as follows: (A) For damages by reason of personal injury to, or death of, one or more persons and damage to property, at least one million dollars; and (B) for malpractice in the care of one or more passengers, at least five hundred thousand dollars. A certificate of such proof shall be filed with the commissioner. Upon determination by the commissioner that an applicant is financially responsible, properly certified and otherwise qualified to operate a commercial ambulance service, rescue service or management service, the commissioner shall issue the appropriate license effective for one year to such applicant. If the commissioner determines that an applicant for either a certificate or license is not so qualified, the commissioner shall notify such applicant of the denial of the application with a statement of the reasons for such denial. Such applicant shall have thirty days to request a hearing on the denial of the application.

(b) Any person, management service organization or emergency medical service organization which does not maintain standards or violates regulations adopted under any section of this chapter applicable to such person or organization may have such person's or organization's license or certification suspended or revoked or may be subject to any other disciplinary action specified in section 19a-17 after notice by certified mail to such person or organization of the facts or conduct which warrant the intended action. Such person or emergency medical service organization shall have an opportunity to show compliance with all requirements for the retention of such certificate or license. In the conduct of any investigation by the commissioner of alleged violations of the standards or regulations adopted under the provisions of this chapter, the commissioner may issue subpoenas requiring the attendance of witnesses and the production by any medical service organization or person of reports, records, tapes or other documents which concern the allegations under investigation. All records obtained by the commissioner in connection with any such investigation shall not be subject to the provisions of section 1-210 for a period of six

months from the date of the petition or other event initiating such investigation, or until such time as the investigation is terminated pursuant to a withdrawal or other informal disposition or until a hearing is convened pursuant to chapter 54, whichever is earlier. A complaint, as defined in subdivision (6) of section 19a-13, shall be subject to the provisions of section 1-210 from the time that it is served or mailed to the respondent. Records which are otherwise public records shall not be deemed confidential merely because they have been obtained in connection with an investigation under this chapter.

(c) Any person, management service organization or emergency medical service organization aggrieved by an act or decision of the commissioner regarding certification or licensure may appeal in the manner provided by chapter 54.

(d) Any person guilty of any of the following acts shall be fined not more than two hundred fifty dollars, or imprisoned not more than three months, or be both fined and imprisoned: (1) In any application to the commissioner or in any proceeding before or investigation made by the commissioner, knowingly making any false statement or representation, or, with knowledge of its falsity, filing or causing to be filed any false statement or representation in a required application or statement; (2) issuing, circulating or publishing or causing to be issued, circulated or published any form of advertisement or circular for the purpose of soliciting business which contains any statement that is false or misleading, or otherwise likely to deceive a reader thereof, with knowledge that it contains such false, misleading or deceptive statement; (3) giving or offering to give anything of value to any person for the purpose of promoting or securing ambulance or rescue service business or obtaining favors relating thereto; (4) administering or causing to be administered, while serving in the capacity of an employee of any licensed ambulance or rescue service, any alcoholic liquor to any patient in such employee's care, except under the supervision and direction of a licensed physician; (5) in any respect wilfully violating or failing to comply with any provision of this chapter or wilfully violating, failing, omitting or neglecting to obey or comply with any regulation, order, decision or license, or any part or provisions thereof; (6) with one or more other persons, conspiring to violate any license or order issued by the commissioner or any provision of this chapter.

(e) No person shall place any advertisement or produce any printed matter that holds that person out to be an ambulance service unless such person is licensed or certified pursuant to this section. Any such advertisement or printed matter shall include the license or certificate number issued by the commissioner.

(f) Each licensed or certified ambulance service shall secure and maintain medical oversight, as defined in section 19a-179, as amended by this act, by a sponsor hospital, as defined in section 19a-179, as amended by this act, for all its emergency medical personnel, whether such personnel are employed by the ambulance service or a management service.

(g) Each applicant whose request for new or expanded emergency medical services is approved shall, not later than six months after the date of such approval, acquire the necessary resources, equipment and other material necessary to comply with the terms of the approval and operate in the service area identified in the application. If the applicant fails to do so, the approval for new or expanded medical services shall be void and the commissioner shall rescind the approval.

(h) Notwithstanding the provisions of subsection (a) of this section, any licensed or certified ambulance service that seeks to increase the level of clinical care provided by such organization from basic life support to advanced life support may apply to the commissioner to increase such level of clinical care on such forms prescribed by the commissioner. The application shall include, but not be limited to: (1) The name of the ambulance service; (2) the names of the chief executive officer, the emergency medical service medical director and the emergency medical service coordinator of such organization; (3) the sponsor hospital of such organization; (4) the level of clinical care that the organization seeks to provide; (5) a copy of the organization's current patient treatment guidelines; (6) a copy of the organization's quality assurance activities and quality improvement activities; (7) a personnel roster that contains the names and licensure or certification status of those employees who are qualified to provide the level of clinical care referred to in the application; and (8) a copy of the organization's professional liability insurance or other indemnity against liability for professional malpractice. The chief executive officer of the ambulance services organization shall attest to the accuracy of the information contained in an application submitted to the Office of Emergency Medical Services pursuant to this subsection. Upon making such application, the applicant shall notify, in writing, all other primary service area responders in any municipality or abutting municipality in which the applicant operates. Except in the case where a primary service area

responder entitled to receive notification of such application objects, in writing, to the commissioner no later than fifteen calendar days after receiving such notice, the commissioner shall have thirty days from the date of filing the application to either approve or reject the application and provide the applicant with written notification of such determination. Written notification of any application that is rejected by the commissioner shall contain the reasons for the rejection. If any such primary service area responder entitled to receive notification of the application files an objection with the commissioner within the fifteen calendar day time period and requests a hearing, the applicant shall be required to demonstrate need at a public hearing as required under subsection (a) of this section.

[(h)] (i) Notwithstanding the provisions of subsection (a) of this section, any volunteer, hospital-based or municipal ambulance service that is licensed or certified and is a primary service area responder may apply to the commissioner to add one emergency vehicle to its existing fleet every three years, on a short form application prescribed by the commissioner. No such volunteer, hospital-based or municipal ambulance service may add more than one emergency vehicle to its existing fleet pursuant to this subsection regardless of the number of municipalities served by such volunteer, hospital-based or municipal ambulance service. Upon making such application, the applicant shall notify in writing all other primary service area responders in any municipality or abutting municipality in which the applicant proposes to add the additional emergency vehicle. Except in the case where a primary service area responder entitled to receive notification of such application objects, in writing, to the commissioner not later than fifteen calendar days after receiving such notice, the application shall be deemed approved thirty calendar days after filing. If any such primary service area responder files an objection with the commissioner within the fifteen-calendar-day time period and requests a hearing, the applicant shall be required to demonstrate need at a public hearing as required under subsection (a) of this section.

[(i)] (j) The commissioner shall develop a short form application for primary service area responders seeking to add an emergency vehicle to their existing fleets pursuant to subsection [(h)] (i) of this section. The application shall require an applicant to provide such information as the commissioner deems necessary, including, but not limited to, (1) the applicant's name and address, (2) the primary service area where the additional vehicle is proposed to be used, (3) an explanation as to why the additional vehicle is necessary and its proposed use, (4) proof of insurance, (5) a list of the providers to whom notice was sent pursuant to subsection [(h)] (i) of this section and proof of such notification, and (6) total call volume, response time and calls passed within the primary service area for the one-year period preceding the date of the application.

(k) Notwithstanding the provisions of subsection (a) of this section, any licensed or certified ambulance service that seeks to initiate billing services may apply to the commissioner on such forms prescribed by the commissioner. The application shall include but not be limited to: (1) The name of the ambulance service; (2) the names of the chief executive officer, the emergency medical service medical director and the emergency medical service coordinator of such organization; (3) the sponsor hospital of such organization; (4) the levels of clinical care provided by the organization; (5) the primary service area of the organization; (6) the number and type of emergency vehicles in the organization's fleet; (7) a copy of the organization's workers' compensation policy; (8) a copy of the organization's professional liability insurance or other indemnity against liability for professional malpractice; (9) written justification for the request to bill for service; and (10) proof of notice sent to bordering communities to the primary service area and the regional emergency medical services councils. Upon making such application, the applicant shall notify, in writing, all other primary service area responders in any municipality or abutting municipality in which the applicant operates. Except in the case where a primary service area responder entitled to receive notification of such application objects, in writing, to the commissioner no later than fifteen calendar days after receiving such notice, the commissioner shall have thirty days from the date of filing the application to either approve or reject the application and provide the applicant with written notification of such determination. Written notification of any application that is rejected by the commissioner shall contain the reasons for the rejection. If any such primary service area responder entitled to receive notification of the application files an objection with the commissioner within the fifteen calendar day time period and requests a hearing, the applicant shall be required to demonstrate need at a public hearing as required under subsection (a) of this section. The provisions of this subsection shall not apply to a management service, as defined in section 19a-175, as amended by this act.

Mass Gatherings

**Section 1.** Section 19a-436 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) ~~[No] Except as provided in subsection (d) of this section, no person shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage or sell or give tickets to an actual or reasonably anticipated assembly of two thousand or more people [which] that continues or can reasonably be expected to continue for twelve or more consecutive hours, whether on public or private property, unless a license to hold the assembly has first been issued by the chief [of police] elected official of the municipality in which the assembly is to gather or, if there is none, the first selectman. [A license to hold an assembly issued to one person shall permit any person to engage in any lawful activity in connection with the holding of the licensed assembly.] A license to hold such an assembly may be issued to an individual or a legally-organized and existing entity.~~

(b) A separate license shall be required for each day and each location in which two thousand or more people assemble or can reasonably be anticipated to assemble. The fee for each license shall be one hundred dollars.

~~[(c)]~~ (c) A license shall permit the assembly of only the maximum number of people stated in the license. The licensee shall not sell tickets to or permit to assemble at the licensed location more than the maximum permissible number of people.]

~~[(d)]~~ (c) The licensee shall not permit the sound of the assembly to carry unreasonably beyond the boundaries of the location of the assembly.

(d) A municipality may waive the licensure process prescribed in this section, provided no assembly, as described in subsection (a) of this section, may gather unless the person or entity otherwise responsible for obtaining a license under this section has provided: (1) Prior written notification to the chief elected official of the municipality where the assembly is to gather, and (2) a letter to the chief elected official of the municipality demonstrating that the requirements of section 19a-437, as amended by this act, have been met. The person undertaking the gathering shall provide such notice and letter to the chief elected official of the municipality not less than twenty days prior to the date when the assembly is to gather.

**Sec. 2.** Section 19a-437 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

Before the issuance of a license in accordance with the provisions of this chapter, the applicant shall first:

(1) Determine the maximum number of people which will be assembled or admitted to the location of the assembly, provided the maximum number shall not exceed the maximum number which can reasonably assemble at the location of the assembly in consideration of the nature of the assembly and provided, where the assembly is to continue overnight, the maximum number shall not be more than is allowed to sleep within the boundaries of the location of the assembly by the zoning or health ordinances of the municipality and that, for an assembly that occurs on an annual basis, the maximum number of people determined may be the average number of persons assembled each day of the assembly during the prior four years of the assembly;

(2) Provide proof that food concessions will be in operation on the grounds with sufficient capacity to accommodate the number of persons expected to be in attendance and that he will furnish at his own expense before the assembly commences: (A) Potable water, meeting all federal and state requirements for purity, sufficient to provide drinking water for the maximum number of people to be assembled at the rate of at least one gallon per person per day and water for bathing at the rate of at least ten gallons per person per day; (B) separate enclosed toilets for males and females, meeting all state and local specifications, conveniently located throughout the grounds, sufficient to provide facilities for the maximum number of people to be assembled at the rate of at least one toilet for every two hundred females and at least one toilet for every three hundred males, together with an efficient, sanitary means of disposing of waste matter deposited, which is in compliance with all state and local laws and regulations. A lavatory with running water under pressure and a continuous supply of soap and paper towels shall be provided with each toilet; (C) a sanitary method of disposing of solid waste, in compliance with state and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of people to be assembled at the rate of at least two and one-half pounds of solid waste per person per day, together



with a plan for holding and a plan for collecting all such waste at least once each day of the assembly and sufficient trash cans with tight fitting lids and personnel to perform the task; (D) a written plan reviewed by the primary service area responder, as defined in section 19a-175, in the location where the assembly is to be held, that indicates that the applicant has satisfactorily planned and arranged for the on-site availability of an emergency medical service organization, as defined in section 19a-175, during the duration of the assembly; a copy of a written plan for the provision of emergency medical services, after consultation with, and in cooperation with, the primary service area responder as defined in section 19a-175, that is compliant with state statutes and regulations and any local ordinances [(E) if the assembly is to continue during hours of darkness, illumination sufficient to light the entire area of the assembly at the rate of at least five foot candles, but not to shine unreasonably beyond the boundaries of the location of the assembly; (F)] (E) a [free] parking area [inside of the assembly grounds] sufficient to provide parking space for the maximum number of people to be assembled; [at the rate of at least one parking space for every four persons; (G) telephones connected to outside lines sufficient to provide service for the maximum number of people to be assembled at the rate of at least one separate line and receiver for each one thousand persons; (H)] (F) if the assembly is to continue overnight, camping facilities in compliance with all state and local requirements, sufficient to provide camping accommodations for the maximum number of people to be assembled; [(I)] (G) [security guards, either regularly employed, duly sworn, off duty policemen or constables or private guards, licensed in this state, sufficient to provide adequate security for the maximum number of people to be assembled at the rate of at least one security guard for every seven hundred fifty people] a copy of a written plan for on-site security and for traffic direction on public roadways prepared by the applicant, after consultation with, and in cooperation with, the local police authority, that is compliant with state statutes and regulations and any local ordinances; [(J)] and (H) [fire protection, including alarms, extinguishing devices and fire lanes and escapes, sufficient to meet all state and local standards for the location of the assembly and sufficient emergency personnel to operate efficiently the required equipment] a copy of a written plan for fire protection prepared by the applicant, after consultation with, and in cooperation with, the local fire department, and compliant with state statutes and regulations and any local ordinances; [(K) all reasonably necessary precautions to insure that the sound of the assembly will not carry unreasonably beyond the enclosed boundaries of the location of the assembly; and (L) a bond, filed with the clerk of the municipality in which the assembly is to gather, either in cash or underwritten by a surety company licensed to do business in this state, at the rate of four dollars per person for the maximum number of people permitted to assemble, which (i) shall indemnify and hold harmless the municipality or any of its agents, officers, servants or employees from any liability or causes of action which might arise by reason of granting the license, and from any cost incurred in cleaning up any waste material produced or left by the assembly; (ii) guarantee the state the payment of any taxes which may accrue as a result of the gathering; and (iii) guarantee reimbursement of ticketholders if the event is cancelled. ]

**Sec. 3.** Subsection (a) of section 19a-438 of the 2010 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) Application for a license to hold an actual or anticipated assembly of two thousand or more persons that continues or can reasonably be expected to continue for twelve or more consecutive hours, shall be made in writing to the [governing body] chief elected official of the municipality at least [fifteen] twenty days in advance of such assembly and shall be accompanied by [the bond required by subparagraph (L) of subdivision (2) of section 19a-437 and] the license fee required by subsection (b) of section 19a-436, as amended by this act.

(b) The application shall contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant, [and shall be signed and sworn to or affirmed by the individual making application in the case of an individual, by all officers in the case of a corporation, by all partners in the case of a partnership or by all officers of an unincorporated association, society or group or, if there are no officers, by all members of such association, society or group. The application shall be executed by the applicant, or by a duly-authorized representative of the applicant if the applicant is a legal entity.

(c) The application shall contain and disclose: (1) The name, age, residence and mailing address of the authorized signor [all persons required to sign the application] in accordance with [by] subsection (b) of this section [and, in the case of a corporation, a certified copy of the articles of incorporation together with the name, age, residence and mailing address of each person holding ten per cent or more of the stock of



such corporation]; (2) the address and legal description of all property upon which the assembly is to be held, together with the name, residence and mailing address of the record owner or owners of all such property; (3) proof of ownership of all property upon which the assembly is to be held or a statement made upon oath or affirmation by the record owner or owners of all such property that the applicant has permission to use such property for an assembly of ~~[three]~~ two thousand or more persons; (4) the nature or purpose of the assembly; (5) the date(s) and the total number of days or hours during which the assembly is to last; (6) the maximum number of persons which the applicant shall permit to assemble at any time, not to exceed the maximum number which can reasonably assemble at the location of the assembly, in consideration of the nature of the assembly or the maximum number of persons allowed to sleep within the boundaries of the location of the assembly by the zoning ordinances of the municipality if the assembly is to continue overnight; (7) the maximum number of tickets to be sold, if any; (8) a copy of a written plan prepared by the applicant [the plans] of the applicant to limit the maximum number of people permitted to assemble; (9) [the plans for supplying potable water including the source, amount available and location of outlets] a copy of the written plan prepared by the applicant for the provision and existence of pure and adequate drinking water; (10) a copy of the written plan[s] prepared by the applicant for providing toilet and lavatory facilities, including the source, number, location and type, and the means of disposing of waste deposited; (11) a copy of a written plan prepared by the applicant [the plans] for holding, collecting and disposing of solid waste material; (12) [the plans to provide for medical facilities, including the location and construction of a medical structure, the names and addresses and hours of availability of physicians and nurses, and provisions for emergency ambulance service] a copy of a written plan prepared by the applicant for the provision of emergency medical services prepared by the applicant, after consultation with, and in cooperation with, the primary service area responder as defined in section 19a-175, that is compliant with state statutes and regulations and any local ordinances; [(13) the plans, if any, to illuminate the location of the assembly, including the source and amount of power and the location of lamps; (14) ] (13) a copy of a written plan[s] prepared by the applicant for parking vehicles, including size and location of lots, points of highway access and interior roads, including routes between highway access and parking lots; [(15) the plans for telephone service, including the source, number and location of telephones; (16) ] (14) a copy of a written [the] plan[s] prepared by the applicant for camping facilities, if any, including facilities available and their location; [(17) ] (15) [the plans for security, including the number of guards, their deployment, and their names, addresses, credentials and hours of availability] a copy of a written plan prepared by the applicant for on-site security and for traffic direction on public roadways for such event prepared by the applicant, after consultation with, and in cooperation with, the local police authority, that is compliant with state statutes and regulations and any local ordinances; [(18)] (16) a copy of a written plan prepared by the applicant [the plans for fire protection, including the number, type and location of all protective devices including alarms and extinguishers, and the number of emergency fire personnel available to operate the equipment] a copy of a written plan prepared by the applicant for fire protection prepared by the organization, after consultation with, and in cooperation with, the local fire department, and compliant with state statutes and regulations and any local ordinances; [(19) the plans for sound control and sound amplification, if any, including the number, location and power of amplifiers and speakers; (20)] and (17) [the plans for food concessions and concessioners who will be allowed to operate on the grounds including the names and addresses of all concessioners and their license or permit numbers] a copy of a written plan prepared by the applicant for how each concession will assure compliance with federal, state and local food protection laws and regulations.

**Sec. 4.** Sec. 19a-439 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

The application for a license shall be processed within ~~[twenty]~~ fifteen days of its receipt and shall be issued if all conditions are complied with.

**Sec. 5.** Sec. 19a-440 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

A license issued under the provisions of this chapter may be revoked by the ~~[governing body]~~ chief elected official of the municipality at any time if any of the conditions necessary for the issuing of or contained in the license are not complied with, or if any condition previously met ceases to be complied with.

**Sec. 6.** Section 19a-443 of the general statutes is repealed and the following is substituted in lieu thereof (Effective upon passage):

(a) This chapter shall not apply to any regularly established, permanent place of worship, stadium, athletic field, arena, auditorium, coliseum or other similar permanently established place of assembly for assemblies which do not exceed by more than two hundred fifty people the maximum seating capacity of the structure where the assembly is held.

(b) This chapter shall not apply to government-sponsored fairs held on regularly established fairgrounds or to assemblies required to be licensed by other provisions of the general statutes or local ordinances.

(c) This chapter shall not apply to any annual agricultural fair provided: (1) such fair has been held annually at least 10 consecutive years since 1990 at the same grounds; (2) such fair is held on grounds owned or leased by the organization holding such fair, and such grounds are specially improved and adapted for the holding of fairs (3) the organization holding such fair is a legally-existing nonprofit organization organized under the laws of the State of Connecticut, and (4) a detailed description of such fair is delivered in hand to the chief elected official of the municipality where such fair is to be held at least ninety (90) days before commencement of such fair. Such description shall contain at least the following information: (A) The date(s) and hours of operation of such fair, (B) a description of the location where such fair is to be held, (C) a copy of a written plan for the provision of emergency medical services at such fair prepared by the organization, after consultation with, and in cooperation with, the primary service area responder as defined in section 19a-175, that is compliant with state statutes and regulations and any local ordinances (D) a copy of a written plan for on-site security and for traffic direction on public roadways for such fair prepared by the organization, after consultation with, and in cooperation with, the local police authority, that is compliant with state statutes and regulations and any local ordinances (E) a copy of a written plan for fire protection for such fair prepared by the organization, after consultation with, and in cooperation with, the local fire department, and compliant with state statutes and regulations and any local ordinances, (F) a copy of a written plan for traffic and transportation services, (G) a copy of a written plan for the provision and existence of pure and adequate drinking water, food protection, and sewage and solid waste disposal reviewed by the local health department or district to assure compliance with federal, state and local laws and regulations. No provision of this subsection shall operate to prohibit a municipality from enacting such ordinances relating to fairs as are enabled by applicable law.